IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

MONDAY, THE FOURTEENTH DAY OF MARCH
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE SRI DEVINDER GUPTA,THE CHIEF JUSTICE

and
THE HON'BLE MR JUSTICE B.SESHASAYANA REDDY

WRIT PETITION NO : 4986 of 2005

Between:

V. Chandra Reddy, S/o. Venkat Reddy,
Gram Panchayat Bolarum Village, Jinnaram Mandal, Medak District.

..... PETITIONER

AND

1 Mandal Revenue Officer, Jinnaram Mandal,
Medak District.
2 District Collector, Medak District at Sangareddy.
3 The Special Chief Secretaryto Government, Revenue Department Secretariat, Hyderabad.
4 Vice Chairman & Managing Director, HUDA Hyderabad, Rasoolupura, Secunderabad.

.....RESPONDENT(S)

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a writ, order or direction more particularly one in the nature of Writ of Mandamus directing the Respondents No.1 in allotting land for house sites behind the Zilla parishad High School Boarum (V), Jinnaram Mandal as wholly arbitrary, highly illegal, unjust and unconstitutional and opposed to public policy and pass such other order or orders

Counsel for the Petitioner:MR.CHILUMALA PRATAP REDDY

Counsel for the Respondent Nos.1 to 3: GP FOR REVENUE

Counsel for the Respondent No.4: Mr. B. Viswanatha Reddy

The Court made the following Oral Order: (per Sri Devinder Gupta, CJ)

We do not find any force in the writ petition, which was filed questioning the action of Respondent No.1 in allotting land for house sites behind Zilla Parishad High School, Bolarum Village, Jinnaram Mandal as wholly illegal and arbitrary.

Writ petitioner is the Sarpanch of Bolarum Gram Panchayat of Jiinnaram Mandal, Medak District and on an earlier occasion, filed Writ Petition No. 23326 of 2004, which was disposed of on 16/12/2004 with liberty reserved to the petitioner to approach the Respondents for allotment of the land as play ground. The said representation of the petitioner was duly considered by Respondents and on 22.1.2005, the Collector addressed a letter to the Special Chief Secretary to the Government, Revenue Department, seeking allotment of land to the extent of 25.00 acres situated in Bolarum Village by Hyderabad Urban Development Authority. Petitioner, now submits that the land is not being allotted and respondents are proceeding ahead to allot house sites behind Zilla Parishad School, Bolarum.

There is no right vested in the petitioner to seek for such allotment. As per communication dated 22.1.2005 from the Collector, Medak District to the Chief Secretary, the entire land was taken over by the Hyderabad Urban Development Authority, Hyderabad in the month of December, 2004 and therefore recommendation has been made to the Special Chief Secretary to request the Vice Chairman and Managing Director of Hyderabad Urban Development Authority to consider the request of the petitioner for allotment of land in Survey No. 284. It is for the respondent Authority to consider such request. But, there cannot be a direction to allot land in a particular survey number and it is for the petitioner to make a request to the 4th respondent for allotment of suitable land and in case the 4th respondent accepts such request, land can be allotted for play ground etc.

With such leave and liberty granted to the petitioner, the writ petition is dismissed. No costs.

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DEVINDER GUPTA,CJ

DATE: 14th March, 2005

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B. SESHASAYANA REDDY,J

Pnb

To

1 Mandal Revenue Officer, Jinnaram Mandal,
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